

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/650,118

Confirmation No. 5876

Applicant

: Arasmith

Filed

: August 26, 2003

Title

: WOOD-REDUCING APPARATUS WITH

CONTINUAL FEEDER ASSEMBLY

Art Unit

: 3725

Examiner

Docket No.

: 043505-262883

Customer No.

: 00826

Mail Stop Petition

Attention: Office of Patent Legal Administration

Office of the Deputy Commissioner for Patent Examination Policy

Post Office Box 1450

Alexandria, Virginia 22313-1450

### PETITION TO GRANT FILING DATE AND PETITION TO REFUND PETITION FEE

Pursuant to MPEP § 506.02, the Applicant hereby petitions the Office to enter the correct filing date of August 26, 2003 (08/26/2003) for the above-identified patent application, and to refund the fee for this petition. In support of this petition, the Applicant encloses the following documentary evidence to show that all requirements set forth in 37 C.F.R. § 1.10 were met and the Applicant is entitled to the correct filing date. 10650118

- 1. A copy of the Utility Patent Application Transmittal signed and dated August 26, 2003, showing the Express Mail Number and listing the materials filed, is attached hereto as Exhibit 1.
- 2. A copy of the Express Mail receipt date-stamped "AUG 26 2003" by the U.S. Post Office is attached hereto as Exhibit 2.

BEST AVAILABLE COPY

11/09/2004 EABUBAK1 00000041 160605

- 3. A copy of the return post card, date-stamped "08/26/03" by the Patent Office is attached hereto as Exhibit 3.
- 4. A copy of the official Filing Receipt mailed September 1, 2004, showing the correct filing date of "08/26/2003" is attached hereto as Exhibit 4. The Applicant notes the mailing date of the Filing Receipt was nearly one full year after the actual filing date.
- 5. A copy of the official Notice to File Missing Parts of Non-provisional Application, also mailed September 1, 2004, which also shows the correct filing date of "08/26/2003," is attached hereto as Exhibit 5.
- 6. On October 14, 2004, the Patent Office mailed an Updated Filing Receipt showing an incorrect filing date of "09/21/2004." A copy of the Updated Filing Receipt is attached hereto as Exhibit 6.
- 7. The Applicant notes that 09/21/2004 is the date the Patent Office received the Applicant's "Response to Notice to File Missing Parts of Non-provisional Application," as shown on the copy of the return post card, date-stamped "SEP 21 2004" by the Patent Office, which is attached hereto as Exhibit 7.

Because the documentary evidence shows no error or defect on the part of the Applicant, the Applicant respectfully petitions the Office to enter August 26, 2003 (08/26/2003) as the correct filing date for the above-identified patent application.

Furthermore, because no defect existed, the Applicant also respectfully petitions the Office to refund the petition fee.

The Office is hereby authorized to charge Deposit Account 16-0605 in the amount of One Hundred Thirty Dollars (\$130.00) in payment of the petition fee as set forth in 37 C.F.R. § 1.17.

Application No. 10/650,118 Petition to Grant Filing Date Page 3

Any deficiency, additional fee, or credit may be charged to Deposit Account No. 16-0605.

Respectfully submitted,

J. Scott Anderson

Registration No. 48,563

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000 Atlanta (404) 881-7000

Fax (404) 881-7777

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Mail Stop Petition, Attention: Office of Patent Legal Administration, Office of the Deputy Commissioner for Patent Examination Policy, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this, the \_\_\_\_\_ day of November, 2004.



## EXHIBIT 1

A copy of the Utility Patent Application Transmittal signed and dated August 26, 2003, showing the Express Mail Number and listing the materials filed.



## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new non-provisional applications under 37 CFR § 1.53(b))

| Attorney Docket No. 043505-262883   |
|---|
| First Inventor or Application Identifier:   |
| Stanley D. Arasmith   |
| Title of Invention: IMPROVED WOOD-REDUCING APPARATUS WITH CONTINUAL FEEDER ASSEMBLY |
| Express Mail Label No. EV 212162536US   |

ADDRESS TO:

MAIL STOP PATENT APPLICATION

**COMMISSIONER FOR PATENTS, P.O. BOX 1450** 

**ALEXANDRIA, VA 22313-1450** 

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Stanley D. Arasmith

Assignee of this invention is: Arasmith Manufacturing Company, Inc.

- 1. The Filing Fee has been calculated as shown below:
- 2. Applicant claims Small Entity Status. See 37 CFR §1.27.

| Filed |           |     |       | No. Extra | #     |                             | Data                         |                | Foo       | 44  | Data      |           | T         |
|-------|-----------|-----|-------|-----------|-------|-----------------------------|------------------------------|----------------|-----------|---|-----------|-----------|-----------|
|       |           |     |       |           | • • • |                             | Rate                         |                | Fee       | tt  | Rate      |           | Fee       |
|       |           |     |       |           |       |                             |                              |                | \$ 370    |   |           |           | \$ 740    |
| 79    | _         | 20  | =     | 59        |       | x                           | 9                            | =              | 531       | х   | 18        | =         |           |
| 6     | _         | 3   | =     | 3         |       | х                           | 42                           | =              | 126       | Х   | 84        | =         |           |
| AIMS  | PRI       | ESE | NTI   | ED        |       | +                           | 140                          | =              |           | +   | 280       | =         |           |
|       |           |     |       |           |       | TO                          | TAL                          |                | \$1027    | TO  | DTAL      |           |           |
|       | 6<br>AIMS | 6 - | 6 - 3 | 6 - 3 =   |       | 6 - 3 = 3<br>AIMS PRESENTED | 6 - 3 = 3 x AIMS PRESENTED + | 6 - 3 = 3 x 42 | 6 - 3 = 3 | 6 - 3 = 3 $x + 42 = 126$ AIMS PRESENTED $+ 140 =$ | 6 - 3 = 3 | 6 - 3 = 3 | 6 - 3 = 3 |

|    | The C       | ommissioner is hereby authorized to credit overpayments or charge the following fees to sit Account No. 16-0605.                          |  |  |  |  |  |  |  |  |  |
|----|-------------|---|--|--|--|--|--|--|--|--|--|
|    | a.          | Fees required under 37 CFR 1.16 (National filing fees).   |  |  |  |  |  |  |  |  |  |
|    | <b>b</b> .  | Fees required under 37 CFR 1.17 (National application processing fees).   |  |  |  |  |  |  |  |  |  |
|    | A chec      | ck in the amount of \$ for the filing fee is enclosed.  |  |  |  |  |  |  |  |  |  |
|    | The ab      | pove filing fee will be paid with Applicant's Response to the Notice to File Missing Parts  |  |  |  |  |  |  |  |  |  |
| 3. | $\boxtimes$ | Specification Total Pages <u>52</u>   |  |  |  |  |  |  |  |  |  |
| 4. | $\boxtimes$ | Drawing(s) (35 USC 113) Total Sheets 9  |  |  |  |  |  |  |  |  |  |
| 5. | $\boxtimes$ | Declaration and Power of Attorney Total Pages 2   |  |  |  |  |  |  |  |  |  |
|    | a.          | Newly executed (unsigned)   |  |  |  |  |  |  |  |  |  |
|    | b.          | Copy from a prior application (37 CFR 1.63(d)) including Associate Power of Attorney and Notice of Change of Address                      |  |  |  |  |  |  |  |  |  |
|    |             | i. DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b) |  |  |  |  |  |  |  |  |  |
| 6. |             | Application Data Sheet. See 37 CFR 1.76   |  |  |  |  |  |  |  |  |  |
| 7. |             | CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)   |  |  |  |  |  |  |  |  |  |
| Q  | Nuclea      | otide and/or Amino Acid Sequence Submission (if applicable, all necessary)  |  |  |  |  |  |  |  |  |  |

| b Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)  c. Specification Sequence Listing on: i. CD-ROM or CD-R (2 copies); or ii. Paper (Pages) d. Statement verifying identity of above copies  ACCOMPANYING APPLICATION PARTS  9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee) 10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney; 11. English Translation Document (if applicable) 12. Information Disclosure Statement (IDS)/PTO-1449; Ocopies of IDS citations. 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent. 17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed. 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application as Sheet under 37 CFR 1.76: Continuation Divisional Continuation in Part (CIP) of prior Application Information: Examiner Group and Information Examiner Group Application is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826  Signature: Altorney of Record: J. Scoty America 1226, 2003 J. Scoty America 274, 2745. J. Scoty America 1226, 2003 J. Scoty America 274, 2745. J. Scoty America 274, 2745. J. Scoty Americ     |                                      | a.   |  | Computer Readable Copy (CRF)  |
|--|--------------------------------------|--|--|---|
| i. CD-ROM or CD-R (2 copies); or  ii. Paper ( Pages)  d. Statement verifying identity of above copies  ACCOMPANYING APPLICATION PARTS  9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee)  10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney;  11. English Translation Document (if applicable)  12. Information Disclosure Statement (IDS)/PTO-1449; Ocopies of IDS citations.  13. Preliminary Amendment  14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation Part (CIP)  of prior Application Information: Examiner Group Art Unit  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is bereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  Signature:  Attorney of Record:     |                                      | b  |  | Request for Transfer of Computer Readable Form of Sequence Listing under 37 CFR § 1.821(e) and MPEP 2422.05 (must be compliant with new rules)  |
| ii. Paper ( Pages)  d. Statement verifying identity of above copies  ACCOMPANYING APPLICATION PARTS  9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee)  10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney;  11. English Translation Document (if applicable)  12. Information Disclosure Statement (IDS)/PTO-1449; O copies of IDS citations.  13. Preliminary Amendment  14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation in Part (CIP)  of prior Application Information: Examiner Group Art Unit For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 50, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record: Altorney Registration No.  48,563  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  1 hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexaforia, Virginia 274, 3(450)              |                                      | c.   |  | Specification Sequence Listing on:  |
| d. Statement verifying identity of above copies  ACCOMPANYING APPLICATION PARTS  9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee)  10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney;  11. English Translation Document (if applicable)  12. Information Disclosure Statement (IDS)/PTO-1449; Ocopies of IDS citations.  13. Preliminary Amendment  14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation in Part (CIP)  of prior Application No. Filed  Prior Application Information: Examiner  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  Signature:  Attorney of Record:  Attorney of Record:  Attorney Registration No.  48,563  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  1 hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Aleysffira, Virginia 274,3(459)   |                                      |  | i.   | CD-ROM or CD-R (2 copies); or   |
| ACCOMPANYING APPLICATION PARTS  9.   |                                      |  | ii.  | Paper ( Pages)  |
| 9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee) 10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney; 11. English Translation Document (if applicable) 12. Information Disclosure Statement (IDS)/PTO-1449; O copies of IDS citations. 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent. 17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed. 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR i.76: Continuation Divisional Continuation in Part (CIP) of prior Application No. Filed Prior Application Information: Examiner Gontinuation in Part (CIP) of prior Application in Supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS Customer Number 00826. Signature: Attorney of Record: Attorney of Record: Attorney Registration No.  CERTIFICATE OF EXPRESS MAILING Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexa fairia, Virginia 27413 (1450)  |                                      | d.   |  | Statement verifying identity of above copies  |
| 9. Assignment Papers (cover sheet & document(s), including a check for the \$40.00 fee) 10. 37 CFR 3.73(b) Statement (when there is an assignee); Power of Attorney; 11. English Translation Document (if applicable) 12. Information Disclosure Statement (IDS)/PTO-1449; O copies of IDS citations. 13. Preliminary Amendment 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent. 17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed. 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR i.76: Continuation Divisional Continuation in Part (CIP) of prior Application No. Filed Prior Application Information: Examiner Gontinuation in Part (CIP) of prior Application in Supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS Customer Number 00826. Signature: Attorney of Record: Attorney of Record: Attorney Registration No.  CERTIFICATE OF EXPRESS MAILING Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexa fairia, Virginia 27413 (1450)  | ACCC                                 | MPAN   | YING A                                       | PPLICATION PARTS  |
| 10.  ☐ 37 CFR 3.73(b) Statement (when there is an assignee); ☐ Power of Attorney;  11.  ☐ English Translation Document (if applicable)  12.  ☐ Information Disclosure Statement (IDS)/PTO-1449; ☐ copies of IDS citations.  13.  ☐ Preliminary Amendment  14.  ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15.  ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  16.  ☐ Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17.  ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18.  ☐ A CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  ☐ Continuation ☐ Divisional ☐ Continuation in Part (CIP)  of prior Application Information: Examiner ☐ Group Art Unit ☐  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19.  ☐ CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record:  ☐ J. Scott Antierson  48,563  Customer No. 00826  ALSTON & BIRD LLP  Bank of America Plaza  101 South Tryon Street, Suite 4000  Charlotte, NC 28280-4000  Atlanta (404) 881-7000  Fax (404) 881-7000  Fax (404) 881-7000  Fax (404) 881-7000  Fax (404) 881-7707   |                                      |  |  |   |
| 11. ☐ English Translation Document (if applicable)  12. ☐ Information Disclosure Statement (IDS)/PTO-1449; _0_ copies of IDS citations.  13. ☐ Preliminary Amendment  14. ☑ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)  16. ☐ Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17. ☐ Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR i.76:  ☐ Continuation ☐ Divisional ☐ Continuation in Part (CIP)  Of prior Application Information: Examiner ☐ Group Art Unit ☐  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record:  Attorney Registration No.  48,563  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexafdria, Virginia 274/3 (459).  Alexafdria, Virginia 274/3 (459).   |                                      |  |  |   |
| 12.  |                                      | $\overline{\Box}$ .  |  |   |
| 13.  Preliminary Amendment  14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)    Foreign Priority is claimed to  |                                      | $\overline{\Box}$  | Informa                                      | ation Disclosure Statement (IDS)/PTO-1449; 0 copies of IDS citations.   |
| 14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  15. Certified Copy of Priority Document(s) (if foreign priority is claimed)  Foreign Priority is claimed to  16. Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i).  Applicant must attach form PTO/SB35 or its equivalent.  17. Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation in Part (CIP)  of prior Application No. ; Filed  Prior Application Information: Examiner Group Art Unit  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  Signature:  Attorney of Record:  Attorney of       |                                      | $\overline{\Box}$  |  |   |
| Certified Copy of Priority Document(s) (if foreign priority is claimed)   Foreign Priority is claimed to   |                                      | $\boxtimes$  | Return 1                                     | Receipt Postcard (MPEP 503) (Should be specifically itemized)   |
| Foreign Priority is claimed to   Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent.  17.   Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.  18.   If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR i.76:   Continuation   Divisional   Continuation in Part (CIP) of prior Application Information: Examiner   Group Art Unit  |                                      |  | Certifie                                     | d Copy of Priority Document(s) (if foreign priority is claimed)   |
| Non-Publication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.    Request for Early Publication Under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application. Pate 1.719. Patents Publication Pates.    Certificate of Early Publication Pates Indicated above and is addressed to: Mail Stop Patent Application. Commissioner for Patents, P.O. Box 1450, Alexadria, Virginia 27/13/1459.   Alexadria, Virginia 27/13/1459. |                                      |  |  | ·   |
| 17.  | 16.                                  |  | Non-Pu                                       | iblication Request under 35 U.S.C. 122(b)(2)(B)(i).   |
| 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  Continuation Divisional Continuation in Part (CIP)  of prior Application No. ; Filed Frior Application Information: Examiner Group Art Unit For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record: Attorney Registration No.  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexafdria, Virginia 2743 1459.  Alexafdria, Virginia 2743 1459.  | 17.                                  | П  |  |   |
| Continuation Divisional Continuation in Part (CIP)  of prior Application No; Filed  Prior Application Information: Examiner; Group Art Unit  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record: Attorney Registration No.  Attorney Registration No.  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 2241 1459  Allanta (404) 881-7777  |                                      | If a CC  | ONTINU                                       | ING APPLICATION, check appropriate box and supply the requisite information   |
| of prior Application No; Filed  Prior Application Information: Examiner; Group Art Unit  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record:  Attorney Registration No.  ALSTON & BIRD LLP  Bank of America Plaza  101 South Tryon Street, Suite 4000  Charlotte, NC 28280-4000  Atlanta (404) 881-7000  Fax (404) 881-7777  Creating disclosure of the prior application, from which application parts.  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to:  Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexaddria, Virginia 273/13 (1450)  |                                      |  |  |   |
| Prior Application Information: Examiner; Group Art Unit  For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS Customer Number 00826.  Signature:  Attorney of Record:  Attorney Registration No.  48,563  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US  Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 223/13/1450  Allanta (404) 881-7777  |                                      |  |  | <del></del>   |
| For CONTINUATION or DIVISONAL applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  19. CORRESPONDENCE ADDRESS  Signature:  Attorney of Record:  Attorney Registration No.  ALSTON & BIRD LLP  Bank of America Plaza  101 South Tryon Street, Suite 4000  Charlotte, NC 28280-4000  Atlanta (404) 881-7000  Fax (404) 881-7777  Alexandria, Virginia 27313 1450   |                                      |  |  |   |
| Signature: Attorney of Record: Attorney Registration No.  Attorney Registration No.  Customer No. 00826  ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313/1450 Alexandria, Virginia 27313/1450  | which a                              | NTINUA<br>in oath or   | TION or lideclaration                        | DIVISONAL applications only: The entire disclosure of the prior application, from on is supplied under Box 5b, is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference. The incorporation can only be relied   |
| Attorney of Record: Attorney Registration No.  Customer No. 00826  ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313 (1450) Alexandria, Virginia 27313 (1450)  Alexandria, Virginia 27313 (1450)   | 19.                                  | CORR   | ESPONI                                       | DENCE ADDRESS Customer Number 00826.  |
| Customer No. 00826  ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313 1450  Alexandria, Virginia 27313 1450  | Signati                              | ıre:   |  | - grature   |
| Customer No. 00826  ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  CERTIFICATE OF EXPRESS MAILING  Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313 1450  Alexandria, Virginia 27313 1450  | Attorne                              | ey of Re   | cord:  |   |
| Customer No. 00826  ALSTON & BIRD LLP  Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  Express Mail Label Number: EV 212162536US Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313 1450  Alexandria, Virginia 27313 1450   | Attorne                              | ey Regis   | tration No                                   | 0. 48,503 <i>V</i>  |
| ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Atlanta (404) 881-7000 Fax (404) 881-7777  Express Mail Label Number: EV 21216253605 Date of Deposit: August 26, 2003 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 27313 1450   |                                      |  |  | CERTIFICATE OF EXPRESS MAILING  |
| Fax (404) 881-7777 Del Ada VI Ma Call  | ALSTO<br>Bank o<br>101 So<br>Charlot | ON & Bind American Street & Market & Ma | IRD LLP<br>ca Plaza<br>n Street,<br>8280-400 | Date of Deposit: August 26, 2003  I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to:  Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, |
| MATCH TO 1 1 1 1/12 CM   |                                      |  |  | Brenda D. Mason   |

Application No. 10/650,118 Petition to Grant Filing Date

## EXHIBIT 2

A copy of the Express Mail receipt date-stamped "AUG 26 2003" by the U.S. Post Office.

| ZU JEZSJESE VJ   | Customer Cop Label 11-F June 20  EXPRE  MAIL  UNITED STATES POSTAL SERVICE®  DELIVERY DOSTAL SERVICE®  |
|--|--|
| PO ZIP Code  Day of Delivery  Flat Rate Envelope    Date In  | DELIVERY (POSTAL USE ONLY)  Delivery Attempt  Time  Mo. Day  Delivery Attempt  Time  Demiloyee Signature  Mo: Day  Delivery Date  Time  Demiloyee Signature  Mo: Day  Delivery Date  Time  Demiloyee Signature  Mo. Day  Delivery Date  Time  Demiloyee Signature  Mo. Day  Delivery Date  Time  Demiloyee Signature  Mo. Day  Delivery Date  Time  Demiloyee Signature  Demiloyee Signature  Mo. Day  Delivery Date  Time  Demiloyee Signature  Demiloyee Signature  Mo. Day  Demiloyee Signature   |
| FROM: PLEASE PRINTY PHONE 04 881 7000  ALSTON & BIRD 1201 H PEACHTREE ST NW STE 4000 ATLANTA GA 30309-3424  File: 043505/262883  J., Scott Anderson/brenda mason | Federal Agency Acct. No. or Pederal Service Acct. No. or Pederal Acct. No. or Pederal Service Acct. No. |
| PRESS HARD. You are making 3 copies. FOR PICKUP OR TRACKING CALL 1-800   | L<br>D-222-1811 www.usps.com 三胡多   |

~

Application No. 10/650,118 Petition to Grant Filing Date

## EXHIBIT 3

A copy of the return post card date-stamped "08/26/03" by the Patent Office.

Mail Stop Pateh Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Date Mailed: August 26, 2003 Atty. Dkt. Nos.: 43505-262883

Title of Papers Submitted: Utility Patent Application Transmittal Sheet; Utility Patent Application; 9 drawing sheets; Declaration & Power of Attorney (unsigned)

Kindly acknowledge receipt by placing office stamp hereon and Returning postcard to: J. Scott Anderson/brenda mason

22389 U.S. PTO 10/650118 Application No. 10/650,118 Petition to Grant Filing Date

### **EXHIBIT 4**

A copy of the official Filing Receipt mailed September 1, 2004, showing the correct filing date of "08/26/2003."

SFP



#### United States Patent and Trademark Office

Received By

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS PO. Dax 1450 Alexandria, Viginia 22313-1450

| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/650.118 | 08/26/2003                | 3725     | 0.00          | 043505-262883  |          | 79       | 6        |

**CONFIRMATION NO. 5876** 

**FILING RECEIPT** 

\*OC000000013694244\*

00826 \ ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000

Date Mailed: 09/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stanley D. Arasmith, Rome, GA;

**Assignment For Published Patent Application** 

Arasmith Manufacturing Company, Inc.

**Power of Attorney:** 

James Anderson-48563

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 11/17/2003

The number of your priority application, to be used for filing abroad under the Paris Convention is. US10/650,118

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

#### \*\* SMALL ENTITY \*\*

Title

Wood-reducing apparatus with continual feeder assembly

**Preliminary Class** 

144

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Application No. 10/650,118 Petition to Grant Filing Date

### EXHIBIT 5

A copy of the official Notice to File Missing Parts of Non-provisional Application, also mailed September 1, 2004, which also shows the correct filing date of "08/26/2003."



#### United States Patent and Trademark Office

Received By

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS

P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/650,118

08/26/2003

Stanley D. Arasmith

043505-262883 **CONFIRMATION NO. 5876** 

00826

**ALSTON & BIRD LLP** BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000

FORMALITIES LETTER 

\*OC000000013694245\*

Date Mailed: 09/01/2004

#### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1,6,9.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

 Additional claim fees of \$660 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1110 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$660
  - \$129 for 3 independent claims over 3.
  - \$531 for 59 total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

**Commissioner for Patents** 

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

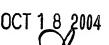
PART 1 - ATTORNEY/APPLICANT COPY

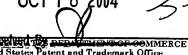
Application No. 10/650,118 Petition to Grant Filing Date

## EXHIBIT 6

A copy of the Updated Filing Receipt mailed October 14, 2004, which shows the incorrect filing date of "09/21/2004."

OCT 1 8 2004







APPL NO.

#### JNITED STATES PATENT AND TRADEMARK OFFICE

ss: COMMISSIONER FOR PATENTS PO. Box 1450 Alexandria, Vinginia 22313-1450 FIL FEE REC'D ATTY.DOCKET NO **DRAWINGS** TOT CLMS IND CLMS

(c) DATE 10/650,118 09/21/2004 3725 1110

ART ÛNIT

3505-262883

79 6

00826 ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000

FILING OR 371



**CONFIRMATION NO. 5876 UPDATED FILING RECEIPT** \*OC000000014087565\*

Date Mailed: 10/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stanley D. Arasmith, Rome, GA;

Assignment For Published Patent Application

Arasmith Manufacturing Company, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 00826.

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/406.022 08/26/2002

Foreign Applications

If Required, Foreign Filing License Granted: 11/17/2003

The number of your priority application, to be used for filing abroad under the Paris Convention is, US10/650.118

**Projected Publication Date: 01/20/2005** 

Non-Publication Request: No

Early Publication Request: No



\*\* SMALL ENTITY \*\*

**Title** 

Wood-reducing apparatus with continual feeder assembly

**Preliminary Class** 

144

## LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Application No. 10/650,118 Petition to Grant Filing Date

## EXHIBIT 7

A copy of the return post card for the Applicant's "Response to Notice to File Missing Parts of Non-provisional Application."

The return post card is date-stamped "SEP 21 2004" by the Patent Office.

Commissioner for Patents P.O. E )450 Alexandria, VA 22313-1450 Date Mailed: <u>September 17, 2004</u> Atty. Dkt. No. <u>0</u> <u>5/262883</u>

Application No. 10/650,118; Filing Date August 26, 2003 Inventor(s): Arasmith; Title of Invention: Wood-Reducing Apparatus With Continual Feeder Assembly

Documents Enclosed: Resp. to Notice to File Missing Parts; PTO-1533; Declaration; Replacement Drawings; Copy of Preliminary Amend.; Copy of Petition to Make Special; Copy of Preliminary Amend

Check Enclosed \$1,110.00

Kindly acknowledge receipt by placing office stamp hereon and returning postcard to: J. Scott Anderson shana moore

Alston & Bird LLP

## This Page is Inserted by IFW Indexing and Scanning Operations and is not part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

## IMAGES ARE BEST AVAILABLE COPY.

OTHER:

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.